

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FREDERICK BANKS,)	
)	2:15cv127
Plaintiff,)	Electronic Filing
)	
v.)	District Judge David Stewart Cercone
)	Magistrate Judge Lisa Pupo Lenihan
UNITED STATES MARSHALS)	
SERVICE, <i>et al.</i> ,)	ECF No. 15
)	
Defendants.)	
)	

MEMORANDUM ORDER

The Complaint in the above captioned case was filed in the Court of Common Pleas of Allegheny County, Pennsylvania on or about November 17, 2014.

Subsequently, this action was removed to this Court by Defendant, United States of America, on January 30, 2015, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 17), filed on October 1, 2015, recommended that Plaintiff's Motion to Remand (ECF No. 15) be denied. Service was made on Plaintiff at his address of record via U.S. Mail, and on all counsel of record via electronic mail. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections. No objections have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation and objections thereto, the following Order is entered:

AND NOW, this 3rd day of November, 2015,

IT IS HEREBY ORDERED that the Motion to Remand by Plaintiff Frederick Banks (ECF No. 15) is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 17) of Magistrate Judge Lenihan, dated October 1, 2015, is adopted as the opinion of the Court.

s/ DAVID STEWART CERCONE
David Stewart Cercone
United States District Judge

cc: Frederick Banks
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(Via First Class Mail)

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